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ABSTRACT

The Australian Human Rights and Equal Opportunity Commission visited over 50 communities throughout Australia to assess the state of human rights in rural, regional, and remote Australia. Education and health services predominated the discussions. Rural children, especially Aboriginal children, have lower school attendance and completion rates than urban children, and they must travel long distances to school. Distance education is inadequately funded and is hampered by lack of telecommunications infrastructure. There is a lack of sporting and cultural opportunities for rural students. Many Aboriginal communities have no access to secondary education, and the education that is available is not culturally relevant. There is a lack of support in rural areas for children with special needs. Concerning health services, it was found that health needs increase, but the level of health care drops, as one moves from urban to remote areas. There is a shortage of general practitioners, nurses, dentists, specialists, and other health professionals, and in some areas practitioners do not treat patients under the arrangements of the national health insurance scheme, leaving poor people without access to any medical care. Indicators are worse yet for Indigenous people in remote areas. The commission will be disseminating successful local initiatives that it did find. The commission is also building a national support network for gay, lesbian, and bisexual rural youth. Other rights being violated in rural areas are discussed. (TD)

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KEYNOTE ADDRESS
Rights for all: the human rights of rural citizens

Chris Sodoti, Australia

ED 455 058

Introduction

The Australian Human Rights and Equal Opportunity Commission was established in 1986 by an act of the Australian Parliament. It has a wide mandate to deal not only with discrimination issues but also with human rights issues under international human rights law. The Commission handles individual complaints of discrimination or human rights violation but it also has a more comprehensive role to undertake public inquiries and investigations into broader patterns or systems of human rights abuse and a public advocacy role.

Since its establishment, the Commission has conducted public inquiries into many particular situations of human rights concern, including

- the rights of homeless children
- human rights and people with mental illness
- access to clean, safe water in remote communities
- access to appropriate health services
- violence based on race or ethnicity
- children and legal processes
- discrimination based on pregnancy
- the rights of Indigenous children and young people.

In every case we found that the experiences of rural and remote Australians differ significantly from those of urban residents and that rural and remote Australians have distinctive human rights problems. For that reason, many of our reports on human rights issues have had to include specific sections or chapters on the dimensions of the particular issue in country Australia.

Bush Talks

Soon after I was appointed Human Rights Commissioner I published a paper, in May 1986, on human rights in rural Australia. The overwhelming response to that paper convinced me of the need to do much more - to look comprehensively at what is happening to human rights in rural, regional and remote Australia. In 1998 we decided to undertake a program, called *Bush Talks*, of consultations in rural Australia.

Bush Talks was a program of listening, of inviting people to tell us about their experiences, their needs and their concerns. During 1998 and 1999 we visited over 50 communities in all eight of Australia's states and territories. They ranged from larger regional cities to small country towns to some of the most isolated communities in the world. They included places like Papunya, an Aboriginal community of around 150 people, in the Tanami Desert in central Australia, about 300 km west of Alice Springs, which itself, with around 20 000 people, is the largest town in 2000 km in any direction. At each place we held one or more public meetings, met with particular groups within the community and visited some of the local community services. We have published summaries of almost all the meetings on the Commission's website (at **http://www.hreoc.gov.au/human_rights/rural/bushtalks/index.html**) so that the information would be available to anyone interested in it.

We saw and heard at first hand the diversity of rural communities. Rural and remote communities across Australia are by no means homogenous - indeed there are great differences by state and territory, size of town and environment. Some rural communities are thriving, with strong local economies and good services for their residents. Others are reviving, with a new sense of spirit and new ideas for social and economic advancement. They have energy, ideas and many models of how to create a functioning community.

Others are deeply depressed. Many communities in rural Australia are under siege - they have declining populations, declining incomes, declining services and a declining quality of life. The infrastructure and community of many rural, regional and remote towns have been slowly pared away. It was described to me by a woman in Port Augusta as the "dying town syndrome," a spiral of decline as services are withdrawn and people leave. People are moving out of towns where they can no longer make a living or find a job.

In the words of a woman from a small town in New South Wales

> *As we head for the year 2000 my greatest concern is for the viability of small rural towns which are slowly being obliterated by loss of services, institutions and medical care ... We all need to fight this insidious process or there will be only ghost towns where busy and fruitful communities once flourished.*

In spite of their diversity rural towns and communities in Australia have in common not only geographical isolation but also a strong sense of rural identity. This identity is increasingly enhanced by the very experience of being forgotten by government and by urban Australians.

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Wherever we went in our consultations, people welcomed us warmly and spoke to us freely about their lives. We became convinced that the human rights of rural and remote Australians have been significantly neglected compared to urban Australians. To describe this, I need to begin with some comments about what I mean by human rights.

What are human rights?

Human rights belong to every person by virtue of birth. It does not matter who you are or where you live. Human rights are ours to be enjoyed simply by reason of our common humanity and innate dignity as human beings. They are not only for majority groups or for minority groups but for everyone equally and without discrimination.

Human rights are also not granted to us by others or by the government. They are ours to be enjoyed simply by reason of our common humanity and innate dignity as human beings. For that reason we cannot agree to give them up and they cannot be taken away from us.

Most people in western democracies like Australia, Canada, the United States and in Europe are aware of their civil and political rights, for example the rights to freedom of expression, freedom of movement and freedom of religion and belief, the rights to a fair trial and to due process and the right to vote. These are of course fundamental human rights, which are set down in international treaties, most importantly the *International Covenant on Civil and Political Rights*. They are well known because they are the category of rights that have found expression in bills of rights such as in the US Constitution and the Canadian Charter of Rights and Freedoms and in the European Charter of Human Rights. But they are not the totality of human rights by any means.

Matters relating to people's social, economic and material well-being are equally matters of human rights, even though western countries and governments have traditionally given them little or no attention. These rights are set out in the *International Covenant on Economic, Social and Cultural Rights*. They include the right to an adequate standard of living. The enjoyment of this right requires, at a minimum, adequate food and nutrition, clothing, housing and necessary care and support such as health and medical services. Human rights also include the right to work, the right to social security and the right to education. They impose obligations on governments not only to protect people from violations of these rights but to take action to promote and ensure these rights for all people within their jurisdictions.

These rights are often overlooked by governments because they raise issues of public welfare and public spending. In a climate of fiscal restraint governments are reluctant to face issues which require more spending. And in a climate of economic rationalism governments reject many spending options that, in purely economic terms, are not cost effective. However, most governments, including those of Australia and Canada, have ratified international treaties that recognise these rights. Ratification is a solemn promise that obliges governments to uphold these rights and ensure that the basic needs of every person are satisfied.

[I should comment at this point that my analysis is not as applicable to the United States as to other nations. The US has one of the lowest levels of participation in the international human rights system. It has not ratified the *International Covenant on Economic, Social and Cultural Rights*. It is one of only two countries that have not ratified the *Convention on the Rights of the Child*. The other is Somalia. Somalia has no effective government.]

These two sets of rights, civil and political rights and economic, social and cultural rights, are not mutually exclusive. They are most definitely linked. For example, a society that promotes and respects civil liberties is more likely to be well placed to enjoy economic growth and good standards of living. At the same time, where there is economic inequality and poverty, where health is neglected and education denied, civil and political rights often suffer.

Many will argue that social, economic and cultural rights are difficult to measure or attain, as circumstances differ so substantially from country to country. Economic inequality has not been solved anywhere to date. Unlike the right to vote, it can appear impossible for governments to guarantee the right to work. Consistently high unemployment, especially in rural Australia, despite good intentions of governments at every level, has taught us that there is no quick solution to extending these rights to everyone.

However, the *International Covenant on Economic, Social and Cultural Rights* is a means of getting governments to measure their achievements or failures and to commit to progressively attaining realisable goals. Unlike the *Covenant on Civil and Political Rights*, it commits each state party to achieving the rights progressively, but this does not mean that they are not achievable. And importantly, governments must guarantee that these rights are protected and enjoyed without discrimination of any kind.

That is why human rights are important to the development and well-being of people in rural areas. The human rights approach represents a paradigm shift. It is based not on appeals to charity and certainly not on arguments about economic viability but on the entitlements of human beings as human beings, wherever they live. It places their

well-being not in the basket of discretion in government decision making but on the list of government obligations and therefore government priorities.

Human rights law then provides an internationally agreed moral or ethical dimension to rural development.

Human rights in rural and remote Australia

As I have mentioned, over the last 2 years I have travelled to over 50 communities in rural and remote Australia as part of Human Rights Commission's *Bush Talks* consultations. We reported on the first part of our consultations in February 1999.
The report is also available on the web (at **http://www.hreoc.gov.au/human_rights/rural/bushtalks/index.html**). These consultations involved both listening and talking to these communities about their human rights concerns. They confirmed what many people in the country had been aware of for several years. In terms of basic economic, social and cultural rights, the country is generally coming off second best to the city.
Country Australians do not enjoy

- the right to education
- the right to the highest attainable standard of health
- the right to an adequate standard of living
- the right to take part in cultural life
- the right to enjoy the benefits of scientific progress
- the right of access to employment opportunities

on an equal basis or in some cases not at all.

In launching *Bush Talks* we promised that we would not consult for its own sake. There are too many examples of "vacuum cleaner consultations" by government and other organisations – go in, suck out all the information and never be heard from again. We said that we would respond to what we heard, that we would develop our work programs around the principal issues raised with us by the people we met. We also promised that we would make the results of our consultations generally available to country people as we found very earlier in the piece that communication and information across country - from region to region - are almost non-existent. Finally we promised to take the voices and concerns of country people into the cities, where most of our people live and so where most economic and political power arises. I consider that we have met those promises.

While there were always particular local matters raised with us, two issues predominated, coming up at every meeting we attended: education for children and young people and access to adequate health services. These and many of the other issues raised with us are fundamental human rights issues.

Education

The right to education is set out in the *International Covenant on Economic, Social and Cultural Rights* (1966) and the *Convention on the Rights of the Child* (1989). This right must be ensured to all without discrimination of any kind.

The provisions on the right to education are quite specific about the content of the right, including free and compulsory primary education and access on the basis of equality to secondary and further education. They also deal with the purposes of education, especially the development of the child's personality, talents and mental and physical abilities to their fullest potential.

Although human rights law guarantees the right to primary and secondary education, the *Bush Talks* consultations found that in many rural and remote areas of Australia there are significant impediments to children's access to educational and cultural opportunities. In response to this, the Commission initiated in March 1999 a National Inquiry into Rural and Remote Education. This has given us the opportunity to hear from a large number of teachers, parents and community members about education in their communities. We also heard from students themselves, at both primary and secondary level. Under article 12 of the *Convention on the Rights of the Child* children have a right to have their views heard and taken into account. So we considered we had a special responsibility to listen to them. We met groups of students, in the absence of their teachers and parents, in every community we visited. In this way during the course of last year we had direct personal contact - face to face or by telephone or in writing - with around 10 000 people from all over Australia.

We were assisted in our inquiry by six special commissioners appointed from each mainland state and the Northern Territory. They included people with decades of experience in rural education and administration, academics, indigenous education experts and a 17-year-old school student.

During our meetings and through formal submissions and a national survey, we learnt that children in remote and rural Australia are less likely to complete their education than children in regional and urban centres. Whereas 67% of children in urban areas complete year 12 at school, only 63% of rural students and 54% of remote students do (1998 figures). In some areas the school completion rates are truly appalling – for example, only around 16% for Aboriginal children in rural Western Australia.

There is also very significant disparity in school attendance rates of 16 year olds, with the highest rates in the richest urban areas (in excess of 96%) and the lowest in the poorest rural and remote areas (between 40% and 50%). The national average is 80%.

We also heard that some of the main problems are the cost of schooling and the lack of income support for families.

Many rural and remote students need to travel long distances to get to school. While this is an element of life in the country, for children this can mean tiring journeys. It can have a serious impact on their access to schooling. Many remote areas do not have public transport and are situated a long distance from a school bus. This can mean extra costs and time for parents in transporting their children to school. This can even effect access to education.

For example, the children of a family living 48km from Scone in New South Wales, a relatively well populated area, must leave home at 7.15am, be transported 13 km to the bus stop and then catch the bus to school. They don't get home until 5.10pm. This is a very long day, especially for young children. Travelling times can exceed this in many other areas of Australia. Many children travel for over an hour each way every day. *Bush Talks* was told that because of this children do not attend pre-school and are kept back from primary school until they are six.

Although distance education reaches isolated children and has some very positive results for many students, it is not appropriate for every child and every family. It also needs to be adequately resourced to address the difficulties of teaching without face-to-face contact and the lack of technological infrastructure in many rural and remote areas.

Many students told us of a lack of curriculum choice and of sporting and cultural opportunities. In the Warmun community, for example, out in the East Kimberley in Western Australia, students may have to travel hours to compete in a sports event. When asked what they wanted, one year 8 student at Warmun said he would like something as simple as goal posts for the school field. These are things are taken for granted by urban students.

Lack of curriculum choice can be a major reason for declining enrolments in secondary years of rural schools. Families feel as if they have no other choice but to send their child away to boarding school, or to move to another town, to give their child the same opportunities as children in urban areas. In some places on the Eyre Peninsula in South Australia we were told that students who want to study music have no choice but do it by distance education. One student found it impossible to study her instrument over the phone and eventually gave up her study, although she was talented and would have pursued this at the tertiary level.

The right to education is suffering most seriously in rural and remote Indigenous communities. Retention rates and participation rates are well below that of non-Indigenous students. The apparent retention rates of full-time Indigenous students in Year 11 are as low as 47%, compared to non-Indigenous students at 83%. In rural Western Australia, as I said, only 16% of Indigenous students in country areas complete Year 12.

In the Northern Territory a significant number of students are not participating in education at all. The majority of these students are Indigenous students in remote communities. Around 13% of indigenous boys do not attend school even during the compulsory schooling years (4 to 14). Only 39.7% of Indigenous girls and 28.2% of the boys in the 15 to 19 year old age group are enrolled in school. Actual daily attendance at school is likely to be much lower than this, as participation rates relate to enrolment only.

Because of distance some remote Indigenous children are unable to access primary school. Other large Indigenous communities have no secondary school. We were told,

> *There is a primary school in Papunya, but throughout the whole of Papunya region there are no secondary education facilities. Students who have completed primary school therefore have to move to Alice Springs to further their education. This lack of accessible secondary education facilities is reflected in the fact that only 1% of Indigenous people in the region aged 15 years and over participate in secondary education. There is a strong wish for a regional high school in Papunya but this proposal has not been well received at a government level so far.*

We were told in many Aboriginal communities in the Northern Territory that their children simply have no effective access at all to secondary education, a very serious human rights violation.

The Inquiry has also heard from many people in rural and remote communities who are critical of the lack of cultural appropriateness and relevance of education for Indigenous studies. Without exception Indigenous people in rural and remote communities expressed their aspirations for "two ways" or "both ways" education for their children so that they would could participate proficiently both in their own Indigenous community and in the more general Australian society. Employing Aboriginal teachers and workers in schools is vital to supporting Indigenous students through the schooling system. And yet the Inquiry heard many times of inadequate numbers of Aboriginal teachers and Aboriginal workers in rural and remote schools.

There is no doubt that culturally inappropriate or irrelevant education has a major impact on educational outcomes. The *Convention on the Rights of the Child*, ratified by Australia, recognises the right of Indigenous and minority children to access education which ensures their right to

enjoy their culture, profess and practise their religions and use their own languages.

Another serious issue raised in the Inquiry is the lack of support in rural and remote areas for children with special needs such as a physical or learning disability. Without adequate special education teaching support in rural and remote areas, families with children with a disability are forced to travel long distances to access appropriate education or send their child away or move the family to an urban centre - or deprive their child of education.

We have concluded that for many children in rural and remote areas of Australia the right to education as defined in international human rights treaties is being violated in serious ways. We are now developing our recommendations as to what must be done to redress this situation. We know that ensuring the right to education for rural and remote children will have resource implications. Some things we will recommend will be cost free and some will involve better and more equitable use of existing resources. But the bucket simply is not big enough and significant additional funding will be required. There is no escaping that.

We released the first part of our report of the National Inquiry into Rural and Remote Education in February. The next part, our recommendations paper, will be tabled in the Australian Parliament in June. We will also be releasing two other separate documents, one on the provision of education, including issues of effective access and information technology, and the other on community involvement in schooling. These reports, summaries of all our meetings wherever we went, transcripts of formal hearings and the report of a national survey undertaken for the inquiry by the Youth Research Centre at the University of Melbourne are all published on the Commission's website (at http://www.hreoc.gov.au/human_rights/rural/education/index.html).

I should also mention that we are conducting a separate project on children's participation in schools and communities. I have already mentioned children's right to participate. Many people are committed to that but are unsure how to ensure it. We have launched a web-based project, Action Exchange, in which we are inviting groups of young people themselves to tell us about their experiences of successful participation so that we can provide models that others can draw on and adapt.

Health

Health was the second major issue raised in the *Bush Talks* consultations. The right to the highest attainable standard of health is set out in both the *International Covenant on Economic, Social and Cultural Rights* (1966) and the *Convention on the Rights of the Child* (1989).

Death rates from all causes are higher in rural and remote areas than in capital cities. Rural Indigenous people die on average 15 to 20 years earlier than their fellow Australians. Rural Australians are more likely to suffer coronary heart disease, asthma and diabetes than city dwellers. Deaths of males from road accidents are twice the rate in remote areas than in capital cities. And suicide, especially of young males, seems endemic in many communities. Rural male youth suicide rates have increased by 350% over the last 30 years.

Not surprisingly, while the level of health need increases, the level of health care drops dramatically as we move from capital city to regional city to a rural or remote area. Yet instead of increasing services, it seems that many are being pared away.

The shortage of general medical practitioners in the bush is well-known and receives extensive media coverage. Although 30% of the Australian population live in the bush, only 16% of doctors do. Lack of doctors, however, is only one part of the problem. In some towns we visited not one general practitioner treat patients under the bulk billing payments arrangements in the national health insurance scheme, effectively leaving poorer people without access to medical care at all. And the shortage of general practitioners is only one part of the personnel problem: there are also shortages of nurses, dentists, physiotherapists, specialists and other health professionals.

Whatever indicator you choose, the situation of Aboriginal people is even worse than that of any other Australians. For Aboriginal Australians

- life expectancy is 20 years less than for non-Aboriginal Australians
- Aboriginal boys born today have only a 45 per cent chance of living to age 65 (85 per cent for non-Aboriginal boys) and Aboriginal girls a 54 per cent chance of living to age 65 (89 per cent for non-Aboriginal girls)
- although over the last forty years the Aboriginal infant mortality rate has declined, it is still over three times the national average; over the same period, adult mortality in the Aboriginal population has increased.

And Indigenous people in remote areas have it hardest of all. For example in the Halls Creek Shire in Western Australia child nutrition levels are comparable with those in Cambodia according to UN criteria. A second example is the deplorable lack of accessible dialysis for kidney disease among Indigenous people. They often have to travel thousands of kilometres for treatment. Wongai residents of the Ngaanyatjara Lands and other people in

the Central Desert region of Western Australia must go to Kalgoorlie or Perth for dialysis. In the Northern Territory they must go to Darwin or Alice Springs. This means that they have to be separated from their traditional lands and community support.

Being separated from family, community and traditional lands can be devastating for rural Aboriginal people. One person described it to us:

> *People can't bear to be away from their land and family and some have chosen to return home. It really breaks a Wongai's heart when he has to go away. But without dialysis, patients will die.*

Many choose to die rather than leaving family, community and land. And when they do go, they see it as a life sentence, for they can never come back except to die. Support in the towns for those who go there to go on dialysis is almost non-existent. Many live in the river beds or, if they are given accommodation, their families who accompany or visit them are not.

I want to emphasise that many of the health problems which people told us about were not 'luxury' items or complaints about not having a wide range of choices. People are talking about access to basic standard health care – a doctor, a dentist, someone to talk to if contemplating suicide. Without access to these services in a rural community lives are at risk and quality of life is seriously threatened. Without access to these services people will be forced to leave their communities and this will only exacerbate the problems being faced by those who remain.

We also found many very successful local initiatives to improve the standards of health care for country people. The problem was that these initiatives were little known outside the immediate areas they serviced. There is simply too little communication across regions. So our first response to the health concerns we heard about is a project to highlight innovative models of service delivery. We are attempting to find funds to produce a series of TV spots, to be telecast throughout rural and remoter Australia, about new health models. At the very least we will be producing a publication about them.

Our second response to rural health issues is the Outlink project. As I have already mentioned, suicide rates are especially high for young rural males. For 15 to 24 year old rural males, the suicide rate is more than double that of their metropolitan counterparts. And it has increased by around 350 per cent over the past 30 years. The problem is especially serious among gay and lesbian young people. An excellent Australian study indicates that their suicide attempt rate is four times that of heterosexual young people and occurs at a much earlier age - 15 years is the average age.

Lesbian, gay and bisexual young people in rural areas experience the stigma associated with homosexuality, the disempowerment common among young people and the difficulties of contemporary rural life. Research also shows that in the face of these difficulties they often receive less than adequate support from families, schools, youth services and the broader community. They often experience a high level of isolation, as do individuals and organisations working to assist and support them. These factors combine to place lesbian, gay and bisexual rural young people at high risk of drug and alcohol abuse, conflict with family and peers, early school leaving, homelessness and suicide.

Outlink is a project to build a national network for mutual support for gay, lesbian and bisexual young people in rural areas, to share knowledge, skills and resources, and to have a united voice on issues such as community education, service provision, funding and government policy. We convened the first meeting of the interim management committee for Outlink early in April. More than two thirds of its members are themselves young rural gay and lesbian people from rural towns. They have accepted ownership of the emerging network, adopted common policies on the service needs of these young people and have planned a series of activities to connect them and support them. One of these activities will be the development of an e-map, an internet database providing access by postcode to services that are available to assist and support young people in their own localities. Most importantly, they have developed a special anti-homophobia program for country schools that will be launched later this month. Further information about Outlink can be found on its (still developing) website (at http://outlink.trump.net.au).

Outlink is based on the right to equality, the right to be treated in accordance with human dignity. For that reason it seeks not only acceptance but celebration, to assure gay and lesbian young people not merely that it's ok to be gay but that it's great.

We have not heard of anything like Outlink, directly targeting rural young people who are gay, lesbian or bisexual, anywhere else, although I would imagine that the situations of these young people in countries like Canada and the US are similar to those in Australia. We would like very much to hear about anything similar that is occurring.

Other rights

Besides health and education, there were many other ways in which the living standards of rural Australians are below national standards and below human rights requirements.

Affecting equity of access to health and education services are infrastructure deficiencies such as inadequate postal and telecommunications services, poor roads, high fuel prices, non-existent public transport, or, where it does exist, the absence of wheelchair-accessible public transport. These especially affect the elderly in rural and remote areas.

There are other fundamental services that some Australian communities still lack, such as a safe and reliable water supply, safe and affordable housing and affordable nutritious food. The relationship between these fundamental services and overall health and well-being is illustrated in a comment made by a *Bush Talks* participant in Alice Springs.

> *Chronic ear disease, due to unsatisfactory hygiene and malnutrition, can result in poor hearing and sometimes deafness. This is a big problem, especially for young Aboriginal people throughout the Northern Territory. The fact is when you can't hear at school, it is incredibly boring so you stop going, and when you don't go to school, you have all day in front of you and you've got to do something! That's when you get into trouble, sniff petrol, start stealing things and with the mandatory sentencing you end up going to jail. All this is because of the insufficient access to clean water and proper food.*

Employment

The right of access to employment opportunities is perhaps the most fundamental building block to regional development. Unemployment and socio-economic disadvantage is a major cause of poor rural health experiences and has a contributing effect on all the other rights I have touched on today. The right of access to employment opportunities without discrimination is set out in the *International Covenant on Economic, Social and Cultural Rights* and the International Labour Organisation *Convention 111*.

The National Rural Health Alliance Blueprint for Rural Development singles out employment as one of the most important things that need to be changed to avert the 'familiar downward spiral'. The Australian Catholic Social Welfare Commission has recently launched an excellent discussion paper on regional unemployment, calling for a national strategy of regional economic and employment development. It points out the persistence of levels of unemployment in many regional communities, which are many times the national average.

Economic and business services

Employment is dependent on the availability and affordability of necessary government and business services within a local community. Cuts in government services also lead to cuts in private sector services. As governments seek to use their diminishing resources more effectively they cut costs by closing services such as schools and hospitals which are deemed unviable as they do not have enough students or patients to justify their existence in monetary terms. This becomes a vicious cycle as rural populations are declining, which results in the closure of services, which in turn makes it more difficult to attract and maintain new populations.

Several government reports in Australia have shown that people living in isolated areas and in communities of less then 5,000 are especially affected by the lack of access to services. They can face a 'lack of information' about what is available; the absence or inaccessibility of many services; poorer quality services; higher costs associated with accessing services; inappropriate service and funding models that are developed for urban areas and poorly motivated staff.

The reduction in services to rural Australia also seriously affects the competitiveness and ultimate survival of rural businesses. Whether these are large beef or crop farms or the local post office, many businesses are affected by the changes facing rural communities. Yet the support of and investment in small business and industry in rural Australia are necessary to address the downward spiral of rural life. During our consultations people have spoken repeatedly about their concerns for telecommunications and banking services.

Telecommunications

As economic well-being becomes increasingly dependent on information technology, country people are becoming increasingly concerned about the poor quality and inadequacy of their access to telecommunications services. Good reliable telephone services and computer and internet access are vital to communities and particularly businesses that are struggling to compete with urban or major regional businesses. One man told us

> *If people who live in rural Australia are to be able to compete on the mythical level playing field they must be given equal access to communication services as their metropolitan based business people enjoy.*

Many submissions to the Commission have expressed concern that ordinary telephone lines in the country are inadequate and poorly maintained and that lines of a standard needed for fax or internet access are not only scarce but a distant and currently unsustainable luxury.

A recent article in *The Australian* newspaper stated that a growing number of rural businesses are beginning to rely on computer technology. Although beef farmers have been

slow to take up the technology, over 50% of crop farmers now use computers in their businesses. On average one in three farm businesses currently use computers in the running of their business. So the issue of quality access lines is becoming very important. A man told us

> *Governments must acknowledge farming as a business in need of effective efficient communication services to function as part of the national economy. Farmers can't be competitive if they are deprived of adequate communication services, access to the Internet for information, weather forecasts and commodity price trends.*

And a man in Elong Elong in rural New South Wales wrote

The ability of people everywhere to do virtually everything is becoming more and more dependent on data communications. As we are, like many rural people, restricted to 2400 bits per second (bps) [that is, the speed that data travels over phone lines] or less, (which he explains later limits his computer capacity to sending and receiving very short E-mail messages) almost all Internet applications are unavailable to us. This includes many of Telstra's own services, and a rapidly increasing range of government and commercial services. For example, the Federal Government is developing a tender information service called Transigo in partnership with Telstra. This assumes a communications speed of 19200bps. Clearly, those businesses limited to 2400bps are being denied their rights. I have no views on the sale of Telstra. I have very strong views on the lack of data communications in rural areas

Banks

Many people in rural Australia have repeatedly raised major concerns about the reduction of banking services in their communities. Forty-five shires around Western Australia, for example, now have no direct access to a bank branch. The combined population of those shires is 89,000. This means that approximately 20% of the regional population of the state have no direct access to a bank. This situation is particularly serious given the size of this State, almost half the area of Australia. A large number of rural towns are at risk of being isolated from essential banking services.

The closure of bank branches also affects the viability of other services in the communities. When bank branches close people are forced to travel greater distances to access bank services. When people travel to larger centres they also conduct other business there, reducing the viability of other local businesses and service providers. This movement away from smaller centres puts the sustainability of those communities at even greater risk. It is another aspect of the "dying town syndrome".

The whole business of banking in the bush is undergoing radical change. The Australian Bankers' Association predicts that

> *bank branches will remain an important part of the banking scene but the number of branches will be reduced right around Australia. The more than 2,600 branches in rural Australia is too many to be sustained by a banking industry seeking to become more efficient, and then able to offer more extensive and higher value services.*

Hundreds of bank branches in rural Australia have closed in the last five years and many more are listed for closure. Governments, business and the banks themselves have scrambled to find alternatives. There have been increased numbers of automatic telling machines installed but these are not suitable for many people. Older people in particular are reluctant to use them and many people with disabilities simply cannot use them. The national government has piloted rural access centres that offer a number of different services, including banking and post office services, from a single site. The National Farmers Federation has called for greatly increased numbers of mobile banking services. But the most innovative response has been the development of a new form of banking in Australia, community banks. A small regional bank, the Bendigo Bank, has entered partnerships with local communities to establish these community banks. They are jointly owned by the Bendigo Bank and the local community and are now providing not only a local banking service but also a means for local people to ensure that their money is used locally, for investment in their own communities. These community banks began in two towns in western Victoria, Rupanyup and Minyip, in February 1998. They have been followed by perhaps another 20 or more and are now are being established in three Australian states.

Priority for human rights

Bush Talks teaches us that the basic human rights I have outlined - to education, to health, to work, to essential services and support - do not exist in isolation. They are connected to each other and to all elements which make up a decent quality of life.

The right to education, for example, is worth upholding not simply because it is an internationally recognised human right. It is the basic building block for economic, social and political development. Children in rural areas need to have an equal education to children in urban areas so that they have the same economic and social opportunities. They may even have a greater need for a quality education, as they will need greater creativity, skills and knowledge

to cope with the challenge of unemployment and poverty facing rural Australia.

But education is not only about economic opportunities. It builds community and identity, provides students with the language tools to understand their own cultures and to respect and understand others who share their community. It gives them the tools to engage with the rest of Australia, to speak the language of the bureaucrats and the business people and to work to improve life in their community.

People in rural communities are well aware of this interconnectedness. It stares them in the face each day. In a small community small changes can have a ripple effect. Contradictions in government policy, social and economic change and the economically rational decisions of public and private sector leaders and managers all wreak havoc in perfect microcosm.

We were told numerous times of the potential effects of a business or service leaving a small country town. It may have an impact on the numbers of school teachers, local employment, local income and wealth, and of course the morale of the community. You cannot take away one service in a small rural community without it having an effect on many other services and ultimately on the most basic human rights of the residents.

The implications of this are clear and obvious. Human rights are as much a part of rural development and well-being as financial investment and physical and environmental infra-structure are. I am not only saying they *should* be as much a part. I am saying they inescapably *are* as much a part of rural development. Unless human rights are consciously promoted in rural development, they will be unconsciously violated.

Only when we start to give these fundamental building blocks of community well-being the same priority as economic issues will we avert the downward spiral of many regions and communities.

The right of rural communities to participate

My travels around Australia have taught me that no two country towns or communities are the same. So there is no single plan to meet the human rights needs of all rural communities. However, a few points made to me by country people again and again over the past two years have some direct relevance for how we might begin to restore and maintain viable rural communities. Not surprisingly, these points are also human rights issues, approaches embedded in human rights law and practice.

The first is that communities need to be involved at all levels of planning for and creating their own futures. This may seem obvious, but too often rural communities feel that they have been left out of the loop in decisions that directly affect them. For example, rural groups in Australia have been calling for rural impact assessments to be done on all legislation and policy changes for years now. Governments have begun to hear this cry, for sound political reasons: the bush is punishing political parties. Australia is a country with a tight two party political system. But over the last two years country independents have been elected in significant numbers in state elections in Queensland, New South Wales and Victoria. And in the last federal election in October 1998, Peter Andren, the independent in the rural Bathurst-Orange area of New South Wales, received the highest two-party preferred vote in the country. However, there is a long way to go before rural Australians feel that government responses to their concerns are more than tokenism. Local people themselves must own and run the development process.

This concern for participation is not only practical but also principled, required by human rights. People have the right to determine their own economic, social and political futures. This is a right recognised in both the foundational human rights covenants, the *International Covenant on Civil and Political Rights* and the *International Covenant on Economic, Social and Cultural Rights*.

There is certainly a lot of energy in rural and remote Australia which could be harnessed for change. Everywhere we went during our *Bush Talks* we came across people who love their small rural towns and communities, who, although saddened at the changes that may have happened and often seriously considering leaving town, are happy with where they live and are willing to fight to maintain the community.

They told us about many good initiatives undertaken by their communities to try to address some of the problems of isolation or declining services. People expressed interest in other communities and what they did, and how they too could do the same, whether in relation to health, the local school, young people and support or employment opportunities.

There is a willingness to work co-operatively and learn from other rural and remote communities, contrary to the stereotype of parochialism in rural areas. They want to see their regions develop, they want a confidence-building, integrated approach to planning and development and they want to be involved - to make the key decisions. That is their right.

The obligation of governments

However, the second point it is important to make is that, although small rural communities can be resilient and energetic, governments cannot absolve themselves of responsibility for them. Regions need participation,

transparency and flexibility in decisions about priorities and plans for change but they also need outside assistance and resources to turn plans into realities. Rural communities pay taxes - they are entitled to as much support as urban communities.

The Australian Catholic Social Welfare Commission pointed to the need to move beyond the principle of 'do-it-yourself', which has the danger of being an excuse to abandon those most in need. That Commission has pointed out that we need to foster *more holistic and inclusive forms of regional development that recognise the national community's* ***collective*** *responsibility to share the opportunities, costs and benefits of economic reform and the role of governments to promote this interdependence through socially responsible and equitable policies.*

And this too is a human rights matter. Governments bear the ultimate responsibility to ensure that all human rights are protected and promoted for all people. They do not have to do everything themselves but they do bear the final obligation under international human rights treaties that they themselves are voluntarily entered and that they themselves have promised to observe. As I said earlier, these treaties represent solemn promises made by governments not merely to the international community but most importantly to their own people.

Human rights for human society

People in rural and remote Australia know that government responsibility is about more than national economic policies. A person in Molong, New South Wales, put succinctly what people told us time and time again. He said,

Governments must acknowledge the fact that people live in rural communities and need to be recognised as being a part of society rather than part of an economy.

We must assert anew that the economy exists to serve our society rather than our society being enslaved by economic ideologies. We must insist that the human rights of people in rural and remote communities are not forgotten but respected, protected and promoted.

That, as I said at the beginning, provides a paradigm shift in how we view the relationship between rural communities and others within a nation - governments, businesses, urban dwellers. It places the question of rural disadvantage and the promotion of rural well-being in a new framework - one of rights, not discretions. It requires that they become a priority for government. It means that the needs of country people cannot be ignored and their aspirations cannot be denied.